

(A) the actual, or anticipated, amount of Federal assistance that will, or may, be made available;

(B) the types of Federal assistance that will, or may, be made available;

(C) the manner in which Federal assistance will be allocated among public sector entities and private sector entities, as applicable; and

(D) the methodology used by the Assistant Secretary to make allocations under subparagraph (C).

(3) **CONSULTATION.**—The Assistant Secretary shall consult with public sector entities and private sector entities, as applicable, in deciding the amounts and types of Federal assistance to make available under paragraph (1).

(b) **PUBLICITY.**—In carrying out this section, the Assistant Secretary shall broadly publicize all opportunities for Federal assistance available under this section, including through the means required under section 7116.

SEC. 7503. AUDITS.

(a) **RECORDKEEPING REQUIREMENT.**—Each recipient of assistance under this division shall keep such records as the Assistant Secretary shall prescribe, including records that fully disclose, with respect to the assistance received by the recipient under this division—

(1) the amount and nature of that assistance;

(2) the disposition by the recipient of the proceeds of that assistance;

(3) the total cost of the undertaking for which the assistance is given or used;

(4) the amount and nature of the portion of the cost of the undertaking described in paragraph (3) that is supplied by a source other than the Agency; and

(5) any other record that will facilitate an effective audit with respect to the assistance.

(b) **ACCESS BY GOVERNMENT OFFICIALS.**—The Assistant Secretary, the Inspector General of the Department of Commerce, and the Comptroller General of the United States, or any duly authorized representative of any such individual, shall have access, for the purpose of audit, investigation, and examination, to any book, document, paper, record, or other material of a recipient of assistance under this division that pertains to the assistance received by the recipient under this division.

SEC. 7504. REVIEW AND REPORT BY COMPTROLLER GENERAL.

Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a thorough review of the programs carried out under this division; and

(2) submit to Congress a detailed report of the findings of the Comptroller General of the United States under the review carried out under paragraph (1), which shall include—

(A) an evaluation of the effectiveness of the programs in achieving the purposes of this division;

(B) a description of any failure by any recipient of assistance under this division to comply with the requirements under this division; and

(C) recommendations for any legislative or administrative action that should be taken to improve the achievement of the purposes of this division.

SEC. 7505. ANNUAL REPORTS; RECOMMENDATIONS.

(a) **ANNUAL REPORT.**—Not later than 90 days after the last day of each fiscal year, the Assistant Secretary shall submit to Congress, and publish on the website of the Agency, a report of each activity of the

Agency carried out under this division during the fiscal year preceding the date on which the report is submitted.

(b) **RECOMMENDATIONS.**—The Assistant Secretary shall periodically submit to Congress and the President recommendations for legislation or other actions that the Assistant Secretary determines to be necessary or appropriate to promote the purposes of this division.

SEC. 7506. SEPARABILITY.

If a provision of this division, or the application of a provision of this division to any person or circumstance, is held by a court of competent jurisdiction to be invalid, that judgment—

(1) shall not affect, impair, or invalidate—

(A) any other provision of this division; or

(B) the application of this division to any other person or circumstance; and

(2) shall be confined in its operation to—

(A) the provision of this division with respect to which the judgment is rendered; or

(B) the application of the provision of this division to each person or circumstance directly involved in the controversy in which the judgment is rendered.

SEC. 7507. EXECUTIVE ORDER 11625.

The powers and duties of the Agency shall be determined—

(1) in accordance with this division and the requirements of this division; and

(2) without regard to Executive Order 11625 (36 Fed. Reg. 19967; relating to prescribing additional arrangements for developing and coordinating a national program for minority business enterprise).

SEC. 7508. AMENDMENT TO THE FEDERAL ACQUISITION STREAMLINING ACT OF 1994.

Section 7104(c) of the Federal Acquisition Streamlining Act of 1994 (15 U.S.C. 644a(c)) is amended by striking paragraph (2) and inserting the following:

“(2) The Assistant Secretary of Commerce for Minority Business Development.”

SEC. 7509. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Assistant Secretary not less than \$100,000,000 for fiscal year 2021, and each fiscal year thereafter, to carry out this division.

SA 1784. Mr. DAINES (for himself and Mr. PETERS) submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ PROTECTION OF PERSONALLY IDENTIFIABLE INFORMATION.

(a) **IN GENERAL.**—Paragraph (2) of section 431(c) of the Tariff Act of 1930 (19 U.S.C. 1431(c)) is amended to read as follows:

“(2)(A) The information listed in paragraph (1) shall not be available for public disclosure if—

“(i) the Secretary of the Treasury makes an affirmative finding on a shipment-by-shipment basis that disclosure is likely to pose a threat of personal injury or property damage; or

“(ii) the information is exempt under the provisions of section 552(b)(1) of title 5, United States Code.

“(B) The Secretary shall ensure that any personally identifiable information, includ-

ing Social Security numbers and passport numbers, is removed from any manifest signed, produced, delivered, or electronically transmitted under this section before access to the manifest is provided to the public.”

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the date that is 30 days after the date of the enactment of this Act.

SA 1785. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, between lines 7 and 8, insert the following:

(5) **REPORT.**—Not later than the earlier of 180 days after the date of enactment of this Act or the date on which the Secretary of Commerce awards the first grant under section 9902 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) with amounts appropriated under this subsection, the Secretary of Commerce, in coordination with the heads of relevant Federal agencies, shall submit to Congress a report that includes recommendations for adjustments to policies and regulations in order to reduce, with respect to the semiconductor incentive program established under that section—

(A) permitting timelines; and

(B) the various costs of permitting and the development of semiconductor manufacturing.

SA 1786. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 716, after line 24, add the following:

(8) The United States Agency for Global Media shall prioritize and seek to increase credible and timely news coverage of the People's Republic of China's Belt and Road Initiative in all countries in which Belt and Road Initiative infrastructure projects have been initiated or proposed.

SA 1787. Mr. DAINES (for himself and Ms. CORTEZ MASTO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation,

manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. 6302. ENFORCEMENT OF INTELLECTUAL PROPERTY PROVISIONS OF ECONOMIC AND TRADE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF CHINA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Agreement includes significant mandates for the People's Republic of China related to its domestic intellectual property regime, including with respect to copyrights, trademarks, trade secrets, and patents;

(2) the changes included in the Agreement, if implemented effectively, should improve the domestic intellectual property framework of the People's Republic of China, which has historically proven to harm the innovation and creative communities in the United States;

(3) despite commitments made by the Government of the People's Republic of China under the Agreement, ongoing market access barriers, uneven enforcement, measures requiring forced technology transfer, and serious deficiencies in the rule of law continue to make the business environment in the People's Republic of China highly challenging for rights holders in the United States;

(4) as reflected in the 2021 report by the United States Trade Representative required under section 182(h) of the Trade Act of 1974 (19 U.S.C. 2242(h)) (commonly referred to as the "Special 301 Report"), the People's Republic of China has consistently been listed in that annual report since 1989 as a trading partner of the United States that "fails to provide adequate and effective IP protection and enforcement for U.S. inventors, creators, brands, manufacturers, and service providers, which, in turn, harm American workers"; and

(5) Congress encourages the United States Trade Representative, the Attorney General, the Secretary of State, the Secretary of Homeland Security, the Secretary of Commerce, and the Director of the United States Patent and Trademark Office—

(A) to use all available tools to ensure that the People's Republic of China fully implements its commitments under the Agreement; and

(B) to actively consider additional means to require the People's Republic of China to address unfair market access barriers, forced technology transfer requirements, and broader intellectual property theft concerns, including through future trade agreements and working with partners in multilateral organizations, such as the Group of 7 (G7), the Group of 20 (G20), and the World Trade Organization.

(b) ENFORCEMENT OF AGREEMENT.—The President, acting through the United States Trade Representative, shall coordinate with the heads of such Federal agencies as the President considers appropriate to enforce the actions related to intellectual property laid out in the Agreement including—

(1) the civil, administrative, and criminal procedures and deterrent-level civil and criminal penalties provided in the Agreement; and

(2) by using the full enforcement authority of the President, including any enforcement authority in connection with the identification and reporting process under section 182 of the Trade Act of 1974 (19 U.S.C. 2242).

(c) REPORT ON STATUS OF IMPLEMENTATION OF CERTAIN OBLIGATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the United States Trade Representative shall submit to the appropriate committees of Congress a report on the status of the implementation by the People's Republic of China of its obligations under Chapter 1 of the Agreement.

(2) INFORMATION IN REPORT.—Each report required by paragraph (1) shall contain information sufficient to enable the appropriate committees of Congress to assess the extent of the compliance by the People's Republic of China with the Agreement, including appropriate quantitative metrics.

(d) DEFINITIONS.—In this section:

(1) AGREEMENT.—The term "Agreement" means the Economic and Trade Agreement Between the Government of the United States of America and the Government of China, dated January 15, 2020.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives.

SA 1788. Mr. DAINES (for himself and Ms. SINEMA) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 3101, insert after subsection (c) the following:

(d) SPECIAL FOCUS ON CRITICAL MINERAL PRODUCTION SUPPLY CHAINS.—The Secretary of State and Secretary of Commerce shall coordinate with the Secretary of Energy to include in the services described in subsection (a) a focus on assisting interested United States persons and business entities with critical mineral supply chain management issues, diversification, domestic production, and management.

SA 1789. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . COVERED PROJECTS UNDER TITLE XLI OF THE FAST ACT.

Section 41001(6)(A) of the FAST Act (42 U.S.C. 4370m(6)(A)) is amended, in the matter preceding clause (i), by inserting "critical minerals production," before "or any other sector".

SA 1790. Mrs. BLACKBURN submitted an amendment intended to be

proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 48, on line 10, insert " , including optical transmission equipment," after "technology".

SA 1791. Ms. LUMMIS (for herself, Mr. WYDEN, and Mr. BARRASSO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. 63 ____ . ROYALTY RATE ON SODIUM PRODUCED ON FEDERAL LAND.

Notwithstanding section 102(a)(9) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701(a)(9)), section 24 of the Mineral Leasing Act (30 U.S.C. 262), and the terms of any lease under that Act, beginning on the date of enactment of this Act, the royalty rate on the quantity or gross value of the output of sodium compounds and related products at the point of shipment to market from Federal land shall be 2 percent.

SA 1792. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. 6302. PROHIBITION ON WAIVERS OF AGREEMENT ON TRADE-RELATED ASPECTS OF INTELLECTUAL PROPERTY RIGHTS WITH RESPECT TO COVID-19 VACCINES.

The President may not assent to any waiver of any intellectual property protections under the Agreement on Trade-Related Aspects of Intellectual Property Rights of the World Trade Organization with respect to COVID-19 vaccines.

SA 1793. Mr. DAINES (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a